GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:640
ANSWERED ON:19.07.2017
Advocates (Amendment) Bill, 2017
Singh Shri Hukum

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether lawyers are against the recommendations of the Advocates (Amendment) Bill, 2017 and if so, the details thereof and the reasons therefor;
(b) whether the said Bill is likely to take away the autonomy of all the bar councils and associations; and
(c) if so, the details thereof and the reasons therefor?

Answer

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND ELECTRONICS AND INFORMATION TECHNOLOGY

(SHRI P.P. CHAUDHARY)

(a) to (c) : The Law Commission of India submitted its Report No. 266 titled "The Advocates Act, 1961 (Regulation of Legal Profession)" for consideration by the Government" on 23.03.2017 with reference to direction of Hon'ble Supreme Court in "Mahipal Singh Rana Vs State of U.P. (AIR 2016 SC 3302). The Law Commission has also prepared a Bill namely "the Advocates (Amendment) Bill, 2017" as Annexure-lll of the report.

The Department of Legal Affairs sought views/comments of the Bar Council of India and all the State Bar Councils, Bar Associations of all the High Courts including Supreme Court of India. In this regard response from the Bar Council of India, various State Bar Councils and various Bar Associations of the High Courts have been received. Apart from this, the Department of Legal Affairs has received representations from various District Bar Associations, Advocate's Associations, Individuals from all over country.

All the responses/representations which have been received in this Department inter-alia reflect that they are opposing the Report No. 266th of the Law Commission of India on the grounds that the proposed Bill recommends for introducing non-legal persons entering into the Statutory Body in the name of eminent persons and they will be empowered to deal with the disciplinary proceedings against the Advocates.